

**DATE:** November 15, 2017

**TO:** Chair and Directors  
Electoral Areas Services Committee

**FROM:** Marc Rutten  
Acting Chief Administrative Officer

**FILE:** 3110-20/ALR 3C 17

Supported by Marc Rutten  
Acting Chief Administrative  
Officer

***M. Rutten***

**RE: Exclusion from the Agricultural Land Reserve  
2431 Vanclan Drive (Dietrich), Puntledge – Black Creek (Electoral Area C)  
Lot 1, District Lot 192, Comox District, Plan VIP 57195, PID 018-380-361**

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### **Purpose**

To consider an application (Appendix A) to exclude a property from the Agricultural Land Reserve (ALR) and to request that the Agricultural Land Commission take a position on the use of building schemes.

### **Recommendation from the Chief Administrative Officer**

THAT the Agricultural Land Reserve application ALR 3C 17 (Dietrich) to exclude lands known as Lot 1, District Lot 192, Comox District, Plan VIP57195 (PID 018-380-361), be referred to the Agricultural Land Commission (ALC);

AND FURTHER THAT the ALC be advised that the Comox Valley Regional District does not support the exclusion;

AND FINALLY THAT a copy of the building scheme that is registered on the property be referred to the ALC with a request that the ALC clarify whether the building scheme that prohibits installation of a mobile home within the subdivision impedes the reasonable use of the land relative to the ALC's second dwelling provisions.

### **Executive Summary**

- The proposal is to exclude the 2 hectare subject property from the ALR in order to construct a second house.
- The applicant attempted to accomplish this objective, consistent with the ALR Regulations and zoning bylaw, by using a manufactured home and a building permit was issued accordingly.
- During development, a private enforcement action of a building scheme registered on title prevented the manufactured home from being placed there (Appendix B).
- Since the property owners were denied permission by the holder of the building scheme to place the manufactured home here, they are seeking permission to construct a permanent house through the ALR and zoning bylaw application process.
- ALR exclusion applications include public notification requirements and nine responses were received, all but one expressing support for the application (Appendix C).
- The Agricultural Advisory Planning Commission (AAPC) recommended refusal of the application.
- The Ministry of Agriculture Regional Agrologist recommended the application be forwarded to the ALC.

- Staff recommends the application be forwarded to the ALC with a recommendation that it be refused on the basis that exclusion is inconsistent with the Regional Growth Strategy’s (RGS) direction to protect land for existing and future agriculture and associated activities and that the objective of the applicant can be achieved under the existing regulations.
- Staff also recommends the building scheme be referred to the ALC with a request that the ALC clarify whether the building scheme is consistent with the ALC regulations.

Prepared by:

**J. MacLean**

Jodi MacLean, MCIP, RPP  
Rural Planner

Concurrence:

**A. Mullaly**

Alana Mullaly, M.Pl., MCIP, RPP  
Manager of Planning Services

Concurrence:

**A. MacDonald**

Ann MacDonald, MCIP, RPP  
General Manager of  
Planning and Development  
Services Branch

**Stakeholder Distribution (Upon Agenda Publication)**

Applicant	✓
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**Background/Current Situation**

The subject property is located on the corner of Marsden Road and Vanclan Drive, south of the Puntledge River (Figures 1 & 2). It is 2 hectares in area and part of a 13-lot subdivision of similar-sized lots in the Vanclan Drive/Stotan Trail/Jacqueline Drive area, all of which are within the ALR (Figure 3). Much of the subject property is cleared, though there are some treed areas around the perimeter. The property is developed with a house and an accessory building and it does not have farm classification under the *Assessment Act*.

The objective of the applicant is to develop a second house on the property for the purpose of providing residence for a relative. The ALC regulations and Comox Valley Regional District (CVRD) bylaws require that the second house take the form of a manufactured home. However, a building scheme registered on this property prevents the placement of a manufactured home (Appendix B). The property owner is applying for ALR exclusion so that the property can be rezoned to a residential zone which allows for a two houses.

**Planning Analysis**

Agricultural Land Reserve

The parent parcel of the subject property was the subject of an ALR exclusion application in 1974, however it was refused by the ALC who cited moderately-high to high soil capability and the size of the parcel (51 ha at the time) as being suitable for agricultural use. In 1989, a second ALR exclusion application was made and while the exclusion was refused, the ALC approved the subdivision of the property into 2 ha lots.

Among the purposes of the ALC is to preserve agricultural land and to encourage farming on that land. To help advance this, the *Agricultural Land Commission Act* (ALCA) prohibits non-farm uses (except those listed in the ALC Regulations) on land identified as being suitable for agricultural use. This should have the effect of lowering development potential and, therefore, the cost of agricultural land allowing for a broader range of agricultural products to be profitable. Excluding the property from the ALR would allow the CVRD to zone the property to include non-farm uses (such as multiple houses and subdivisions) as permitted uses. Section 34(4) and (5) of the ALCA requires the CVRD to review the exclusion application and either refuse it or to forward it to the ALC with any comments and recommendations. This is intended to provide the CVRD with latitude to consider

and weigh the local community interests of each application, such as the RGS, the Official Community Plan (OCP), or other factors as determined by the CVRD Board (the board). The ALR Regulations require that exclusion applications be submitted with proof of notices. The applicant must post the exclusion notice on a sign on the property, publish it in the newspaper, and serve the notice to adjacent ALR property owners. As a result of this notification nine responses were received (Appendix C). One respondent objected citing potential agricultural capability and eight respondents supported exclusion citing either poor soil conditions or providing no rationale.

Should the application be forwarded to the ALC, Section 30(2) of the ALCA requires the ALC to do one of the following: refuse the application, approve the application, or to permit a non-farm use or subdivision on the land. It is possible for the ALC to refuse the exclusion but approve the second house as a non-farm use within the ALR and the ALC may place conditions on that approval. This would also achieve the objective of the applicant.

#### Official Community Plan

The subject property is designated Agricultural Areas within the OCP, Bylaw No. 337 being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014”. The objective of this designation is “*To promote agriculture and aquaculture as an important economic sector of the Comox Valley.*” Excluding properties that can viably contribute to the agricultural sector is not consistent with this objective.

Regarding the applicant’s objective of adding a second house to the property, policies within this designation that address multiple dwellings include Policy 59.(4) “*Minimize the residential impact on arable farm land by dwelling units and related residential infrastructure*”; Policy 59.(5) “*Encourage owners of land designated agricultural area to locate and group buildings, structures, dwellings and related infrastructure including driveways in ways that preserve contiguous tracts of land*”; and Policy 59.(6) “*Encourage the applicant to limit the footprint of the additional dwelling(s) in order to limit negative impacts of residential use on land designated agricultural area.*” The proposed second house’s use as an independent residential infrastructure (e.g. driveway and septic field) and its location on the opposite corner of the property from the primary house is not consistent with the policy directions to group buildings and related infrastructure.

#### Zoning

The subject property is zoned Rural-ALR (RU-ALR). This zone allows for one single detached dwelling, additional dwellings for farm employees, and other dwellings as permitted by the ALR Regulations and orders only if the property is within the ALR. The allowance for a second dwelling for the purpose of providing residence for a relative in the form of a manufactured home comes from the ALR Regulations. Should the property be excluded from the ALR, the Rural-ALR zone would not allow for a second house, and a rezoning to a residential zone would be required. Alternatively, should a second house be permitted by an ALC order (e.g. as a non-farm use through this application process), it would be consistent with the zone’s permitted uses. Any conditions the ALC places on such an approval (e.g. conditions that would minimize residential impact on agriculturally-viable land) would also be required to be adhered to. In the absence of such an approval, the property owner may place a manufactured home (including the residential infrastructure) anywhere on the property.

#### Building Scheme

A building scheme was placed on the property, along with all the other properties within that subdivision, after the properties were created but before they were sold and developed. A building scheme is a voluntary restriction to the development or use of a property that is otherwise afforded by public law land use controls (e.g. zoning regulations). They are typically used by developers of land to enhance the marketability of properties by guaranteeing a certain quality or level of

development. Building schemes can only be enforced by the property owners that are a named party in the agreement; local governments cannot enforce building schemes (i.e. through development or building permits). Notice of buildings schemes is registered on the property's title so that purchasers are aware of them.

This subdivision, which created the Vanclan/Stotan/Jacqueline Drive properties, was completed in 1994. The developer placed a building scheme on the properties that states “*no trailer of camper shall be used as a residence*” and “*no house or other off-site constructed building shall be moved or transported onto any lot, and specifically, no mobile homes or prefabricated factory homes shall be erected or placed on any lot*”. Because the local government has no standing to enforce a building scheme, a building permit was issued in 2016 to place a manufactured home on the property, in compliance with the ALC regulations and CVRD bylaws. Work was halted after a private enforcement action of the building scheme was initiated by the subdivision developer. This application was submitted as a means to accommodate the private building scheme restrictions consistent with the necessary approval required under the ALCA and zoning bylaw.

### **Policy Analysis**

Section 16 of the ALC Act states: “*Land included in an agricultural land reserve remains agricultural land in the agricultural land reserve unless excluded under this Act.*” Section 30 enables a property owner to apply to the ALC to exclude their property from the ALR. Section 30(4) states that “*an application under this section...may not proceed unless authorized by a resolution of the local government...*”.

Section 35 of the *Property Law Act* makes provisions to allow for the modification or cancellation of a building scheme upon petition of a person with a lawful interest in the land to the Supreme Court of British Columbia.

### **Options**

The board has the following options:

1. Forward the application to the ALC with the recommendation that the exclusion be refused and request the ALC clarify whether the building scheme which prohibits a permitted non-farm use impedes the reasonable use of the land (i.e. use of the land in accordance with the ALC's regulations).
2. Forward the application to the ALC with the recommendation that the exclusion be refused but that the permanent second dwelling be considered for a non-farm use approval.
3. Forward the application to the ALC with the recommendation that the exclusion be approved.
4. Refuse to forward the application to the ALC, thereby ending the role of the CVRD and ALC in this matter.

Staff recommends option 1 in so far as the building scheme is contrary to the ALC Regulations' second dwelling provisions.

### **Financial Factors**

Fees of \$1500 (\$300 for the CVRD and \$1200 for the ALC) have been collected for this application in accordance with section 35 of the ALCA. Should the board refuse to forward the application to the ALC, the \$1200 ALC portion of the fee is returned to the applicant.

### **Legal Factors**

This report and the recommendations contained herein are in compliance with the ALCA, regulations and CVRD bylaws.

**Regional Growth Strategy Implications**

The RGS, Bylaw No. 120, being the “Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010” designates the subject property within Agricultural Areas. One of the goals in the RGS is to support and enhance agricultural sectors and increase local food security (Goal 6). Within this goal, there are policies to protect agricultural land and associated activities to support stronger local economics for a long-standing way of life and preservation of the valley’s rural character. The intent of this designation is to reinforce the policies within the ALR to support agricultural practices. The RGS includes a measurement target that there be no net loss of zoned farmland in the ALR. The application to exclude the subject property from the ALR is inconsistent with Objective 6-A, which is to “*Protect land for existing and future agriculture and associated activities and allow for the growth and expansion of such activities.*”

**Intergovernmental Factors**

A referral was issued on August 18, 2017, to the Ministry of Agriculture for comment on this application. Regional Agrologist Jill Hatfield responded on September 15, 2017, noting the proposal would be better accommodated with a non-farm use within the ALR and ultimately recommending the application be forwarded to the ALC for consideration (Appendix D).

**Interdepartmental Involvement**

This ALR application has been circulated to internal departments for comments. Other departments had no concerns with the application.

**Citizen/Public Relations**

A referral was forwarded to the AAPC for review and comment. The AAPC met to discuss the proposal at the site on August 30, 2017, with the applicant and CVRD staff present. The consensus recommended by the AAPC is that the application be refused.

Attachments: Appendix A – “ALC application submission - File ALR 3C 17”  
Appendix B – “Building scheme registered on subject property’s title”  
Appendix C – “Public responses to notification of File ALR 3C 17”  
Appendix D – “Referral response from Regional Agrologist, dated September 15, 2017”

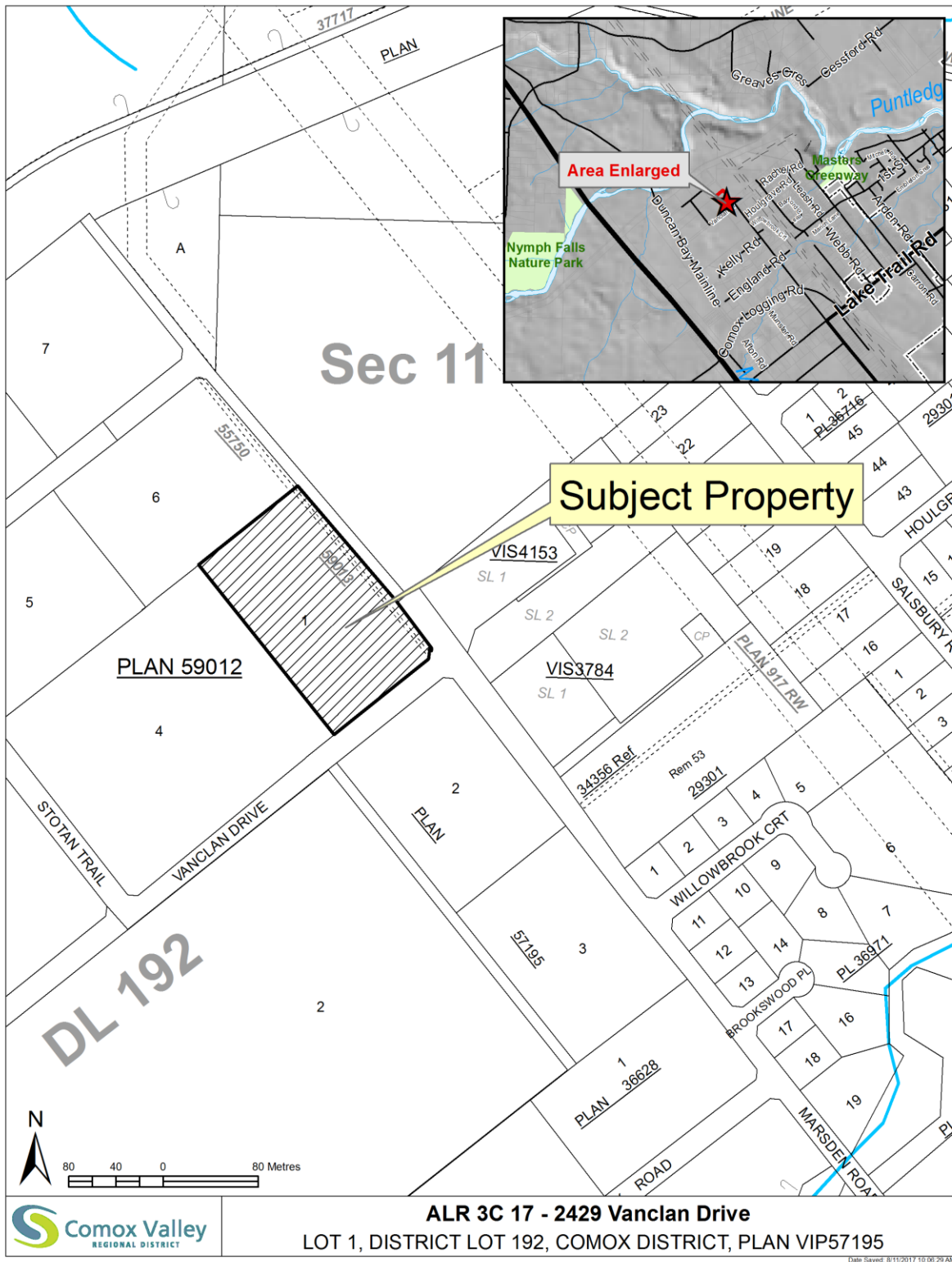


Figure 1: Subject Property Map, Illustrating Location.





Figure 2: Air Photo (2016)

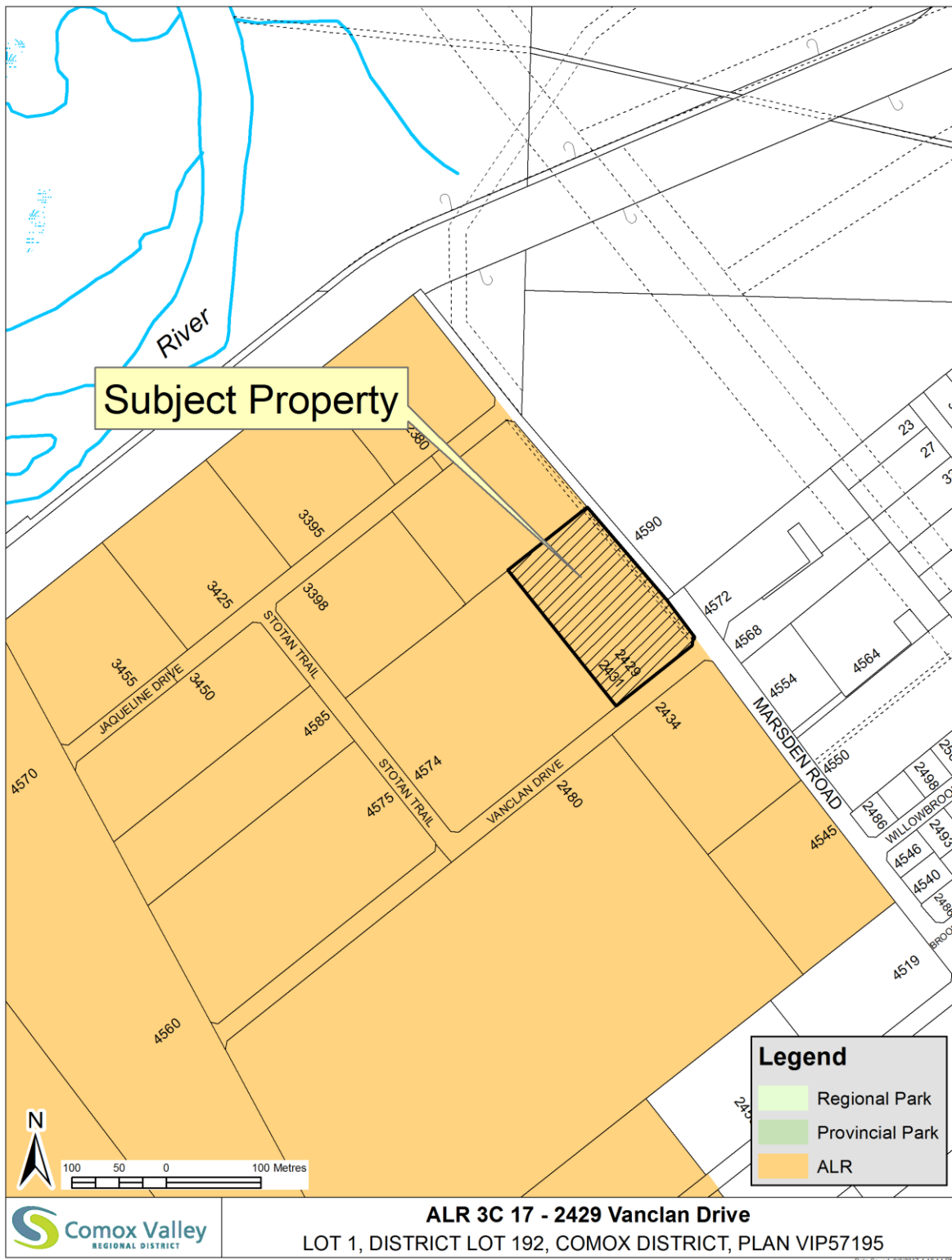


Figure 3: Subject Property Illustrated within the Agricultural Land Reserve



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 56603

**Application Status:** Under LG Review

**Applicant:** Stephen Dietrich

**Local Government:** Comox Valley Regional District

**Local Government Date of Receipt:** 08/01/2017

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Exclusion

**Proposal:** To construct a Single Family dwelling for a family member.

## Parcel Information

### Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

**Parcel Identifier:** 018-380-361

**Legal Description:** L 1 DL 192 COMOX PL VIP57195

**Parcel Area:** 1.9 ha

**Civic Address:** 2429 VanClan Drv

**Date of Purchase:** 10/29/1993

**Farm Classification:** No

**Owners**

1. **Name:** Stephen Dietrich

**Address:**

2570 Lake Trail Rd

courtenay, BC

V9N 9K8

Canada

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## Current Use of Parcels Under Application

1. **Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**

*None*

2. **Quantify and describe in detail all agricultural improvements made to the parcel(s).**

*None*

3. **Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**

**Applicant:** Stephen Dietrich

*Residential Dwelling*

**Adjacent Land Uses**

**North**

**Land Use Type:** Unused

**Specify Activity:** unused

**East**

**Land Use Type:** Residential

**Specify Activity:** Residential

**South**

**Land Use Type:** Residential

**Specify Activity:** Residential

**West**

**Land Use Type:** Unused

**Specify Activity:** Unused

**Proposal**

**1. How many hectares are you proposing to exclude?**

*1.9 ha*

**2. What is the purpose of the proposal?**

*To construct a Single Family dwelling for a family member.*

**3. Explain why you believe that the parcel(s) should be excluded from the ALR.**

*This property has been used for residential use only since I purchased it in 1993, has a Single Family Dwelling and Shop on it and will continue to be used as Residential. This property has very little capacity to grow anything as the soil is very sandy and rocky. None of the surrounding properties are used for agriculture, this area is 100% residential with the exception of a Pet crematorium that was allowed to be built, despite numerous complaints by residents. I have gone through the approval and Permit process with Health and Building departments, Permit #10317, to install a Mobile Home, was issued Permits, but could not proceed because there is a Statutory Building scheme that does not allow Mobile Homes or moved in buildings of any kind on the property. I would like to build a 130sq m home for a family member on the property, the same size as a Double Wide Mobile Home would be, and in the same location that was previously approved by the CVRD. The other existing properties across the Road Right of Way to the East that are not ALR lands are all used for Residential use as well.*

**Applicant Attachments**

- Proof of Advertising - 56603
- Proof of Serving Notice - 56603
- Proof of Signage - 56603
- Proposal Sketch - 56603
- Certificate of Title - 018-380-361

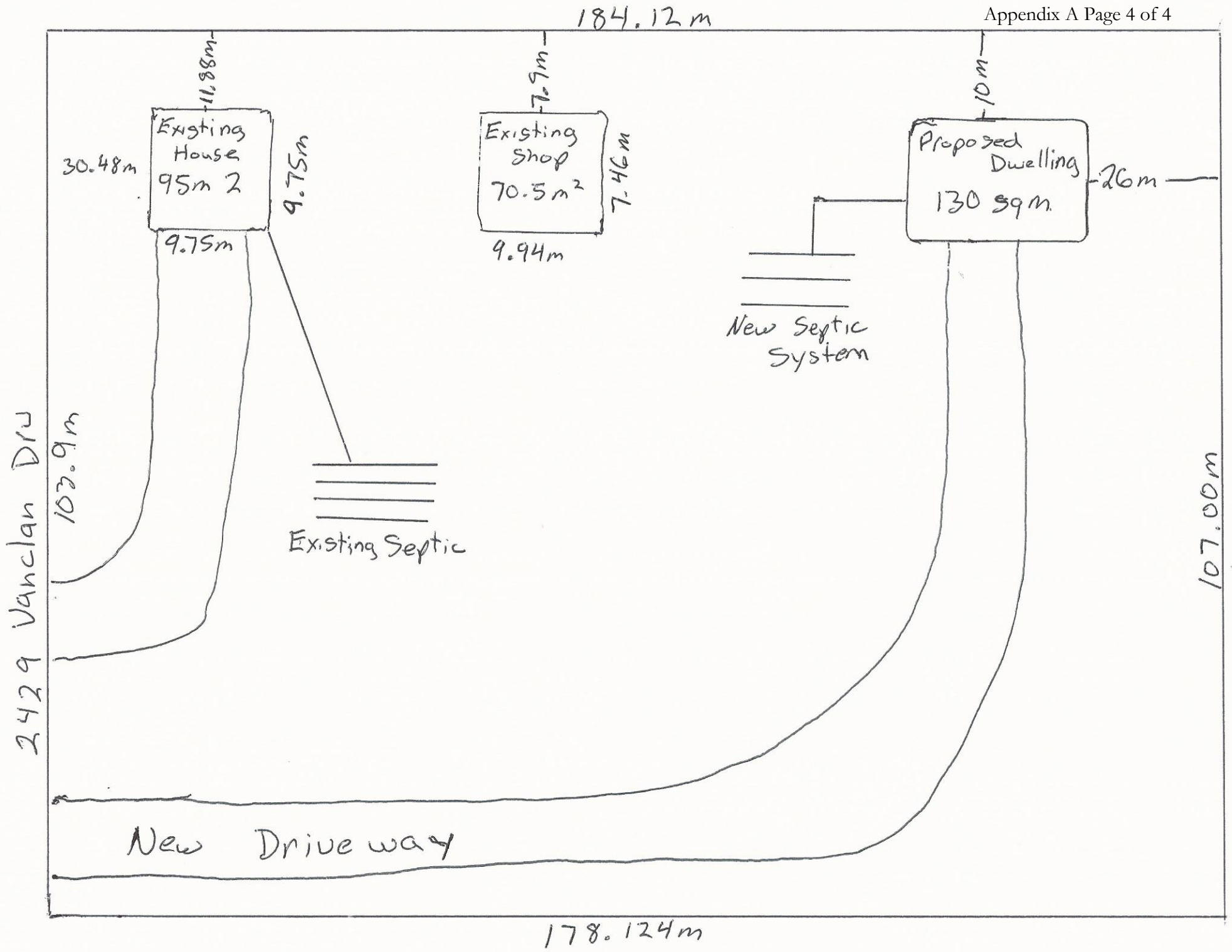
**Applicant:** Stephen Dietrich

**ALC Attachments**

None.

**Decisions**

None.



2

PID #018-380-379  
LOT 2, DL 192, COMOX DIST, PLAN VIP57195

(collectively referred to as the "lots" and individually as the "lot")

2. I hereby create a building scheme relating to the lots, the particulars of which are set out in the Schedule attached to this Declaration.
3. Sale and development of any of the lots, or any part into which any of the lots is subdivided, is subject to the restrictions set out in the Schedule attached to this Declaration.
4. The restrictions shall be for the benefit of all of the lots and each and every parcel into which the lots may be subdivided from time to time PROVIDED HOWEVER that GERRIT MARIANUS ADRIANUS VAN HER WAARDEN expressly reserves to himself and his successors in title, the right to exempt that part of the lot or lots remaining undisposed of at the time the exemption takes effect, from all or any of the restrictions and benefits set out in this Building Scheme.
5. The following provisions shall apply to this Building Scheme:
  - (a) Nothing contained in this Building Scheme shall be construed or implied as imposing on GERRIT MARIANUS ADRIANUS VAN HER WAARDEN any liability in the event of non-compliance with or non-fulfillment of any of the covenants, conditions or restrictions contained herein.
  - (b) No condoning, excusing or waiver by any person of a default or non-observance by any other person at any time in respect of any provisions of this Building Scheme shall operate as a waiver in respect of any continuing or subsequent default or non-observance, or so as to defeat or affect in any way the rights of any person in respect of such continuing default or non-observance and no waiver shall be inferred or implied by anything done or omitted to be done by the person having such rights.
  - (c) The provisions of this Building Scheme have been instituted for the general benefit of all owners of the lots from time to time and all such




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Page 3

owners, in agreeing to buy any lot, acknowledge such general benefit and a personal benefit attaching to that part of or interest in the lot purchased by them and each of such owners agrees that his or her injury and damage to all of the owners which is impossible to measure monetarily, and as a result, any or all of the other owners will, in addition to all of the other remedies in law and in equity (including the right to damages), be entitled to any order restraining or enjoining any breach of any of the provisions of this Building Scheme and any owner in breach of any such provision and named in this application for such an order shall not plead in defence that there would be an adequate remedy at law, in equity, in damages or otherwise.

- (d) Should any part of this Building Scheme be declared invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect the remainder of this Building Scheme which shall continue in full force and effect and be construed as if this Building Scheme had been declared without such invalid or unenforceable part.
- (e) Wherever and whenever the approval or consent of GERRIT MARIANUS ADRIANUS VAN HER WAARDEN is required to be obtained, such approval or consent may be given by such officer, agent, committee, person or persons as may from time to time be nominated or appointed in writing by GERRIT MARIANUS ADRIANUS VAN HER WAARDEN for such purpose and such power of appointment or right of nomination may be delegated by GERRIT MARIANUS ADRIANUS VAN HER WAARDEN

  
KATHRYN J. GREENING  
Notary Public  
320 Tenth Street  
COURTENAY, B.C. V9N 1P5

EXECUTION DATE  
Y M D

93/09/23

  
GERRIT MARIANUS ADRIANUS  
VAN HER WAARDEN

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

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SCHEDULE OF RESTRICTIONS

1. No trailer or camper shall be used as a residence on any lot.
  
2. No house or other off-site constructed building shall be moved or transported onto any lot, and specifically, no mobile homes or prefabricated factory homes shall be erected or place on any lot.

Michele Jones

Comox Valley Regional District  
600 Comox Road  
Courtenay, BC V9N 3P6

**Re: ALR Exclusion application for 2429 Vanclan Drive, Courtenay**

Comox Valley Regional District  
RECEIVED  
August 05, 2017 3110-20/ALR 3017  
AUG 11 2017  
To: J. MacLean  
cc:

Dear Sir/Madam,

I am writing to oppose the exclusion from the ALR of the property located at 2429 Vanclan Drive (PID# 018-380-361).

We moved to this area of west Courtenay because of its large lots, rural residential zoning, and abundant greenspace. The subject property is located at the north end of Marsden Road. From the end of Marsden Road there is little to no development to the Puntledge River. The surrounding roads (Vanclan Drive, Stotan Trail, and Jacqueline Road) have very few homes and are primarily forested parcels. By maintaining a forested or agricultural landscape, it will allow water to slowly enter the river, helping to offset downstream flood events. Development always includes an increase in impermeable surfaces such as driveways, roofs, and sidewalks. This is not desirable so close to a large river that already has flooding issues in the downstream areas.

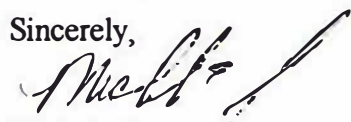
Land use in the ALR allows multiple uses. In the area around the subject property, most of the landowners have retained much of the forested ecosystems. There are some landowners who have livestock, such as horses.

Removing this property from the surrounding ALR properties would allow increased development. This is problematic for two reasons. First, by allowing this property to be excluded, it allows other properties to make the same application for similar reasons. Slowly, the reserve becomes smaller until it is no longer useful as agricultural land.

The second reason considers the property over the long-term. Most landowners do not retain their properties for long periods of time. Within five to ten years, this landowner may sell his property and the next landowner may want to further develop on the land, which may be acceptable if it is removed from the ALR. The current trend is to try to encourage landowners to buy local or even grow their own food. Retaining agricultural land is important to allow people to do this. Even if the property is not conducive for growing crops, it would be useful for cultivating smaller amounts of food, including growing berries, grapes, small livestock (i.e. chickens), and other foodstuffs.

Please deny the ALT exclusion for this property. Thank you for your consideration,

Sincerely,

  
Michele Jones

RECEIVED

File: 3110-20/ALR 3C17

AUG 11 2017

August 8<sup>th</sup> 2017

To: J. MacLean

cc:

To the Comox Valley Regional District,

This letter is in regards to an application by our neighbor Steven Lawrence Dietrich, to exclude his property located at 2429 Vanclan Drive Courtenay BC from the Agricultural Land Reserve.

My wife and my self would like to express our 100% support for this application to be approved.

We have lived next door to this property for 24 years and as such have a good knowledge of what uses and activities have occurred over the years on this property and all surrounding properties.

Approximately 10 five acre parcels and to our knowledge no one is doing anything related to farming, they are primary residences.

While we appreciate the objectives and purpose of the ALR these properties also have a covenant attached to the tittle that says no moved in buildings or structures of any kind including manufactured homes which is allowable otherwise for a family member by the ALR.

This has caused a hardship for us in the past as we wanted to put a new double wide on for my mother when her health was failing as to be able to properly care for her but were restricted by the covenant and she had to go into a full care facility.

We especially agree with the approval of this application in regards to facilitating housing for a family member.

Again we hope this application will be approved.

Sincerely Dave and Kathy Yeomans

Comox Valley Regional District

August 18, 2017

RECEIVED

File: 310-20/ALR3017

AUG 22 2017

To: J. MacLean

To Whom It May Concern

My name is Phillip Peterson, I reside at 3455 Jaqueline Drive, Courtenay, B.C.

Regarding application 56603, 2449 VanClan Drive, Courtenay, B.C.

I support this application for exclusion. The subject property & surrounding properties are not suitable for agricultural purposes as they contain too much rock, sand and gravel.

Thank you for considering this application.

A handwritten signature in black ink, appearing to read 'Phillip Peterson', written over a horizontal line.

Phillip Peterson



I agree to the exclusion application for property of Mrs Dietrich (lot 1, DC 192) to be excluded from Agricultural Land Commission

*Ann van Kemmerden*

Comox Valley Regional District

RECEIVED

*Ann van Kemmerden*

File:

AUG 23 2011

*lot 2*

To:

*lot 4*

cc:

*DC 192*

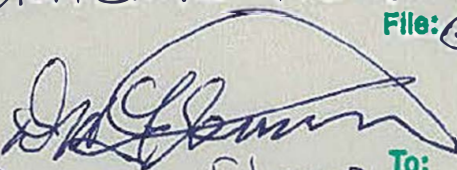
I agree to the exclusion application for property of Mrs S Dietrich (Lot 1 DL 192) to be excluded from Agricultural Land Commission.

Mrs C Fleming  
Christine Fleming

Comox Valley Regional District

REC

File: 310-2016LR3017

  
Dennis Fleming

AUG 23 2017

J. Maclean

To:  
cc:

I agree to the exclusion application for property of Mrs Dietrich (Lot 1 DL 192) to be excluded from Agricultural Land Commission

Comox Valley Regional District

RECEIVED

Dennis Van...

van der Waarden

File:

AUG 23 2017

Lot 4

To:

DL 192

cc:

I agree to the exclusion  
application for property of  
Mrs Dietrich (Lot 1 DL 192)  
to be excluded from  
Agricultural Land Commission

*Jump* *with.*

Comox Valley Regional District

RECEIVED  
Jennifer Bibb

Lot 3 AUG 23 2017

02 To: 192  
CC:

I agree to the exclusion application for property of Mr S Dietrich (Lot 1 DL 192) to be excluded from Agricultural Land Commission



Comox Valley Regional District  
**RECEIVED**

Rick Van Hensbearden

File:

lot 2

AUG 23 2017

lot 4

To:

DL 192

cc:



Comox Valley Regional District

RECEIVED

File:

Oct. 25, 2017

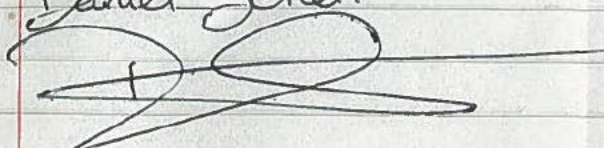
To Whom It May Concern: OCT 26 2017

To:

CC:

Regarding the current application to have the neighbouring property on Van Clain Drive removed from the ALR, I am not opposed to the application.

The land owner has expressed his intent for the future of the property should the proposal be accepted and I feel it would do little harm to the ALR given the land will still be farmable if the zoning changes.

Daniel Scherr  


Owner:



MoA Referral – File: ALR 3C 17

**MoA Referral Response Summary Form**

File: 3110-20 / ALR 3C 17 – 2429 Vanclan Drive (Dietrich)  
(Planner: J. MacLean)

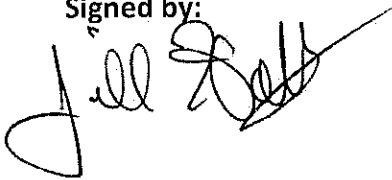
- |                          |  |                          |  |
|--------------------------|--|--------------------------|--|
| <input type="checkbox"/> | <b>General comments</b>                                | <input type="checkbox"/> | <b>Interests unaffected</b>                  |
| <b>X</b>                 | <b>Issues requiring attention – see comments below</b> | <input type="checkbox"/> | <b>Opposed due to reasons outlined below</b> |

**Comments:**

It is difficult to support an exclusion application for a relatively small parcel situated in a block of similar sized parcels within the Agricultural Land Reserve. It is also difficult to support an exclusion application to facilitate a dwelling option that is currently available to all other ALR parcels; a manufactured home for an immediate family member. The applicant may want to consider the option of requesting a non-farm use for the second dwelling.

My suggestion is that this application is forwarded to the ALC. I believe is an issue that should be dealt with by the Agricultural Land Commission. I am unsure if how a building scheme put in place by a developer would be considered in the context of ALC regulations.

**Signed by:**



Jill Hatfield P.Ag

**Title:** . Regional agrologist  
BC Ministry of Agriculture

**Date:** September 15, 2017